

State's Attorney

MISSION STATEMENT

The State's Attorney is a constitutionally created independent agency. The mission of the Office of the State's Attorney is to serve the public interest through the fair and honest administration of justice by exercising its responsibilities to: prosecute criminal violations in Montgomery County; educate the public with regard to criminal justice issues; provide training to lawyers for future service; address inequality and promote fairness in the criminal justice system; ensure access to the criminal justice system; promote professional relations with judges and attorneys; and further the efficient use of criminal justice resources.

BUDGET OVERVIEW

The total recommended FY05 Operating Budget for the Office of the State's Attorney is \$9,569,800, an increase of \$741,930 or 8.4 percent from the FY04 Approved Budget of \$8,827,870. Personnel Costs comprise 95.8 percent of the budget for 97 full-time positions and ten part-time positions for 107.7 workyears. Operating Expenses account for the remaining 4.2 percent of the FY05 budget.

The Office has five Community Prosecution teams assigned geographically to the six police districts. Each team exclusively prosecutes the crime which happens in its respective police district. Prosecutors are assigned to neighborhoods, schools, civic groups, and faith-based organizations to promote better communication between the Office and communities. This increased interaction will allow prosecutors to be problem solvers, not just case processors.

PROGRAM CONTACTS

Contact David Baker of the Office of the State's Attorney at 240.777.7318 or Angela Dizelos of the Office of Management and Budget at 240.777.2772 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

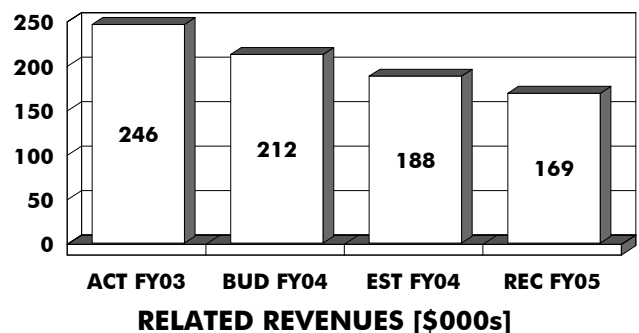
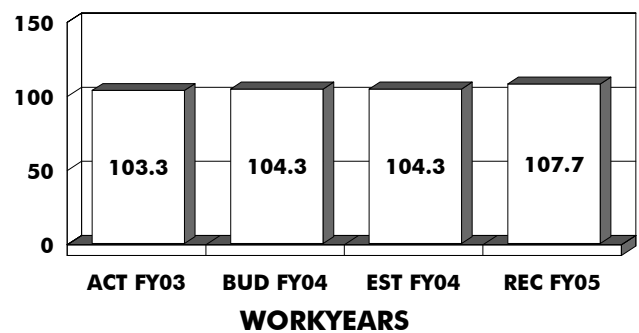
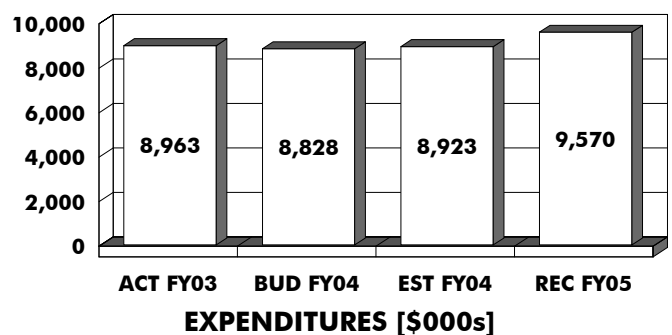
Circuit Court Prosecution

The Circuit Court Prosecution program reviews cases for possible filing in the Circuit Court by presenting these cases to the Grand Jury for indictment or filing a State's Attorney's information and litigates these cases to disposition. Senior Assistant State's Attorneys provide support and guidance to ongoing police investigations and conduct Grand Jury investigations of major felony, drug distribution, property forfeiture, and environmental cases. The Family Violence Unit prosecutes crimes of domestic violence, child abuse, and elder abuse. Prosecutors in this unit have specialized training to attack these difficult and often devastating crimes. Each Community Prosecution Team has been assigned a prosecutor from the

Program Summary

	Expenditures	WYs
Circuit Court Prosecution	4,609,680	43.9
District Court Prosecution	1,907,250	27.8
District Court Screening	230,100	3.5
Juvenile Court Prosecution	749,610	8.5
Pre-Trial Mediation	88,740	2.0
Victim/Witness Court Assistance	218,840	4.0
Major Fraud and Special Investigations	403,050	5.0
Prosecution Management	741,700	8.0
Administration	620,830	5.0
Totals	9,569,800	107.7

Trends



Family Violence Unit to specifically handle the family violence cases occurring within its assigned police district. In addition, appeals and demands for jury trials in District Court cases are litigated in the Circuit Court.

FY05 Recommended Changes

	Expenditures	WYs
FY04 Approved	4,129,760	41.0
Increase Cost: Reduce budgeted lapse to align closer to historical actuals	152,560	2.9
Increase Cost: Annualization of Operating Expenses	40,000	0.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, and changes due to staff turnover	287,360	0.0
FY05 CE Recommended	4,609,680	43.9

District Court Prosecution

The District Court Prosecution program prosecutes criminal cases including misdemeanor arrests, citizen complaints, and serious or incarcerable traffic offenses. The State's Attorney's office has also implemented a Domestic Violence docket in District Court to ensure that assault cases of a domestic nature and violations of protective orders are given special attention.

FY05 Recommended Changes

	Expenditures	WYs
FY04 Approved	1,871,050	27.8
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, and changes due to staff turnover	36,200	0.0
FY05 CE Recommended	1,907,250	27.8

District Court Screening

The District Court Screening program resolves as many cases as possible before the trial date by contacting victims and witnesses to determine what outcome they would like to obtain from the criminal justice system. This program relies on volunteers and is supervised by permanent staff. It provides victim/witness assistance by delivering information about the criminal justice system to victims and witnesses whose cases are expected to go to trial and an on-call service, when possible, to reduce the inconvenience experienced by victims and witnesses.

FY05 Recommended Changes

	Expenditures	WYs
FY04 Approved	218,340	3.5
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, and changes due to staff turnover	11,760	0.0
FY05 CE Recommended	230,100	3.5

Juvenile Court Prosecution

The Juvenile Court Prosecution program prosecutes criminal violations committed by juvenile offenders in Montgomery County and performs a preliminary review of all cases in which

a juvenile is charged with a crime of violence. This includes cases which have been reviewed by the Juvenile Services Administration and then referred to the Office of the State's Attorney. In such cases, formal charges are filed where appropriate and litigated to disposition in the Juvenile Court, attempting to obtain restitution for victims when possible. This program also provides administrative support to Teen Court, a Countywide peer adjudication initiative for non-violent juvenile offenses.

FY05 Recommended Changes

	Expenditures	WYs
FY04 Approved	743,690	9.0
Reduce: Gang Prosecutor Grant eliminated in FY05	-42,380	-0.5
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, and changes due to staff turnover	48,300	0.0
FY05 CE Recommended	749,610	8.5

Pre-Trial Mediation

The Pre-Trial Mediation program is designed to resolve non-violent disputes between individuals which might enter the judicial system as criminal cases, or civil claims, or even escalate to violence if not otherwise resolved. Trained volunteers, working in conjunction with a mediation specialist, mediate various issues involved in disputes allowing the parties to reduce to writing an agreement by which all sides will abide. The Bad Check Mediation Program gives merchants and receivers of checks a means for recovering their losses for bad checks passed for goods or services. In appropriate circumstances, criminal charges are filed when funds are not recovered through the mediation. The Rental Return and Restitution Program is an effort to assist the business community. This program provides merchants with a quick and effective way to recover their rental property and fees.

FY05 Recommended Changes

	Expenditures	WYs
FY04 Approved	107,440	2.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, and changes due to staff turnover	-18,700	0.0
FY05 CE Recommended	88,740	2.0

Victim/Witness Court Assistance

This program assists victims in criminal cases that have been designated as "victim-intensive" by virtue of the vulnerability of the victim or the type of crime. Victims receive direct court assistance from a Victim/Witness Coordinator. The Coordinator guides the victim through the judicial process, provides assistance where necessary, and makes referrals to other County agencies as needed. In all other cases, Assistant State's Attorneys provide information and assistance to victims and witnesses. This program is staffed with permanent and volunteer personnel.

FY05 Recommended Changes

	Expenditures	WYs
FY04 Approved	200,100	4.0
Increase Cost: Annualization of Operating Expenses	10,000	0.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, and changes due to staff turnover	8,740	0.0
FY05 CE Recommended	218,840	4.0

Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, and changes due to staff turnover	34,240	0.0
FY05 CE Recommended	620,830	5.0

Major Fraud and Special Investigations

The Major Fraud and Special Investigations program investigates allegations of major fraud such as thefts by attorneys from their clients, complex financial crimes, and other serious criminal cases for which the Police Department is unable to provide investigative resources.

FY05 Recommended Changes

	Expenditures	WYs
FY04 Approved	376,730	5.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, and changes due to staff turnover	26,320	0.0
FY05 CE Recommended	403,050	5.0

Prosecution Management

Prosecution Management staff coordinate case loads; schedule docket assignments; receive visitors; direct phone calls; and enter and audit data in the Criminal Justice Information System (CJIS) for the Circuit, District, and Juvenile Courts.

FY05 Recommended Changes

	Expenditures	WYs
FY04 Approved	604,170	7.0
Add: One Senior Information Technology Specialist to support Integrated Justice Information System (IJIS) project	89,870	1.0
Increase Cost: Annualization of Operating Expenses	70,000	0.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, and changes due to staff turnover	-22,340	0.0
FY05 CE Recommended	741,700	8.0

Administration

Staff provide central services in areas of budget, personnel, automated systems management, general office management, and public information. In addition, staff coordinate efforts and initiatives with other criminal justice agencies.

FY05 Recommended Changes

	Expenditures	WYs
FY04 Approved	576,590	5.0
Increase Cost: Annualization of Operating Expenses	10,000	0.0

BUDGET SUMMARY

	Actual FY03	Budget FY04	Estimated FY04	Recommended FY05	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	6,731,520	6,762,660	6,300,750	7,151,680	5.8%
Employee Benefits	1,539,450	1,609,980	2,100,250	1,864,210	15.8%
County General Fund Personnel Costs	8,270,970	8,372,640	8,401,000	9,015,890	7.7%
Operating Expenses	463,656	271,390	353,680	405,830	49.5%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	8,734,626	8,644,030	8,754,680	9,421,720	9.0%
PERSONNEL					
Full-Time	94	94	94	95	1.1%
Part-Time	9	9	9	10	11.1%
Workyears	101.7	101.8	101.8	105.7	3.8%
REVENUES					
Rental Return Restitution Fee	565	1,600	1,600	3,000	87.5%
Teen Court Fees	1,430	1,700	2,500	2,500	47.1%
Bad Check Mediation Fee	17,670	25,000	15,000	15,000	-40.0%
County General Fund Revenues	19,665	28,300	19,100	20,500	-27.6%
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	142,245	149,860	135,035	123,530	-17.6%
Employee Benefits	35,951	33,980	33,625	24,550	-27.8%
Grant Fund MCG Personnel Costs	178,196	183,840	168,660	148,080	-19.5%
Operating Expenses	50,640	0	0	0	—
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	228,836	183,840	168,660	148,080	-19.5%
PERSONNEL					
Full-Time	2	3	3	2	-33.3%
Part-Time	0	0	0	0	—
Workyears	1.6	2.5	2.5	2.0	-20.0%
REVENUES					
Local Law Enforcement Block Grant (LLEBG)	22,509	0	0	0	—
Gang Grant	40,000	42,380	45,000	0	—
Encourage Arrest Policies	50,807	0	0	0	—
Community Prosecution	60,339	65,030	48,660	68,210	4.9%
STOP Grant for Domestic Violence	52,630	76,430	75,000	79,870	4.5%
Grant Fund MCG Revenues	226,285	183,840	168,660	148,080	-19.5%
DEPARTMENT TOTALS					
Total Expenditures	8,963,462	8,827,870	8,923,340	9,569,800	8.4%
Total Full-Time Positions	96	97	97	97	—
Total Part-Time Positions	9	9	9	10	11.1%
Total Workyears	103.3	104.3	104.3	107.7	3.3%
Total Revenues	245,950	212,140	187,760	168,580	-20.5%

FUTURE FISCAL IMPACTS

Title	CE REC. FY05	FY06	FY07	(5000's) FY08	FY09	FY10
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY05 Recommended	9,422	9,422	9,422	9,422	9,422	9,422
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	442	921	1,006	1,006	1,006
These figures represent the annualization of FY05 increments, general wage adjustments, and associated benefits. Estimated compensation (e.g., general wage adjustment and service increments) for personnel are included for FY06 and beyond.						
Subtotal Expenditures	9,422	9,864	10,342	10,428	10,428	10,428

STATE'S ATTORNEY

PROGRAM:

Pre-Trial Mediation

PROGRAM ELEMENT:

Bad Check Mediation Program

PROGRAM MISSION:

To provide the business community with a quick and effective way to recover their losses from bad checks, to identify repeat offenders and concentrate prosecution efforts on those offenders, and to lessen the burden on the court system while producing a successful result for the victim

COMMUNITY OUTCOMES SUPPORTED:

- A caring and thriving business community
- Respect for the law
- Efficient delivery of quality services

PROGRAM MEASURES

	FY01 ACTUAL	FY02 ACTUAL	FY03 ACTUAL	FY04 BUDGET	FY05 CE REC
Outcomes/Results:					
Percentage of mediation cases successfully mediated ^a	68.7	68.1	64.2	68	69
Monetary restitution recovered (\$)	404,028	308,560	387,501	325,000	325,000
Percentage of bad check cases recovered without court intervention	65.6	63.3	62.0	65.0	66.0
Percentage of bad check cases referred to court after failure of mediation	29.8	29.6	34.6	32.0	31.0
Percentage of bad check cases involving repeat offenders ^b	3.4	6.5	2.3	2.0	2.0
Fees collected (\$)	22,400	19,520	16,540	24,500	24,000
Service Quality:					
Percentage of merchants surveyed who rate the quality of service of the program as "excellent" or "good"	95	100	93	95	95
Efficiency:					
Average amount per case recovered by the merchant (\$)	259.66	237.90	464.07	250.00	371.43
Amount recovered for every dollar spent (\$)	4.36	3.26	3.74	3.12	2.90
Workload/Outputs:					
Mediation cases opened	1,556	1,297	835	1,300	875
Cases identified as repeat offenders ^b	48	84	20	26	30
Inputs:					
Expenditures (\$) ^c	92,629	94,540	103,703	104,294	111,988
Workyears ^c	1.5	1.5	1.5	1.5	1.5

Notes:

^aMediation cases exclude repeat offenders and a small number of bad check cases that cannot be mediated or prosecuted (e.g. due to lack of witnesses).

^bRepeat offender cases are taken to court without attempting mediation.

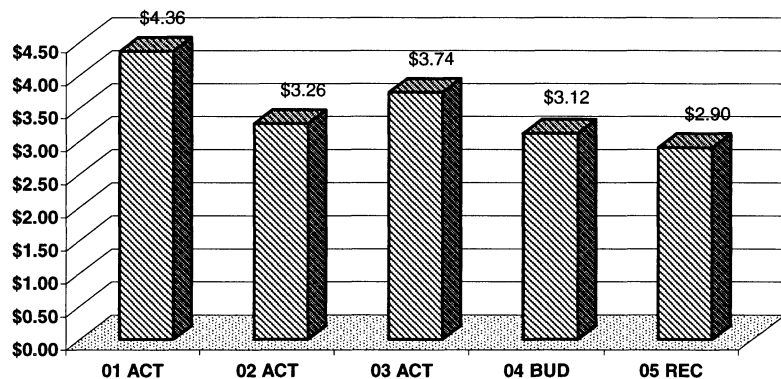
^cIncludes some staff time funded by the District Court.

EXPLANATION:

The goals of this program are to recover restitution for merchants who have been given bad checks without having to involve the criminal court system, and to review all bad checks reported in order to identify repeat criminal activity so that such matters can be charged criminally and dealt with by the court.

The success rate for mediation cases was 64.2% in FY03, while revenue from fees (which is returned to the County) totaled \$16,540, and \$3.74 was recovered for every dollar spent on the program. The number of repeat offender cases decreased 73% between FY00 and FY03.

Amount Recovered per Dollar Spent



PROGRAM PARTNERS IN SUPPORT OF OUTCOMES: District Court, Montgomery County Police.

MAJOR RELATED PLANS AND GUIDELINES: